

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE**

In Re:

**CARTWRIGHT CREEK, LLC'S PETITION  
TO AMEND CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY TO  
PROVIDE WASTEWATER UTILITY  
SERVICES.**

'04 DEC 22 PM 12 15

REGULATORY AUTHORITY  
DOCKET ROOM  
No. 04-00358

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**MOTION FOR EXPEDITED HEARING**

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Comes now Cartwright Creek, LLC ("Cartwright Creek") and moves the Tennessee Regulatory Authority ("TRA") for an expedited hearing in the above-captioned petition to amend its Certificate of Public Convenience and Necessity ("CCN").

**Filing History**

On October 15, 2004, Cartwright Creek filed its petition to amend its CCN to expand its existing wastewater utility services to Planned Growth Area 5 ("PGA 5") in Williamson County. At the informal request (no data request issued) of the TRA representative reviewing this Petition, Cartwright Creek filed documentation regarding the Tennessee Department of Environment and Conservation permit for the area which is the subject of this Petition on November 19, 2004. On November 30, 2004 again subsequent to an informal request (no data request issued), Cartwright Creek filed an Amendment to its Petition with attached confidential information evidencing its financial responsibility and wherewithal in support of Cartwright Creek's ability to efficiently and effectively provide wastewater utility services to PGA 5.

On December 6, 2004, a Data Request was made upon Cartwright Creek, and on

December 8, 2004, Cartwright Creek filed its Response to the Data Request. On December 15, 2004, a second Data Request was made on Cartwright Creek, and on December 17, Cartwright Creek filed its Response to this Data Request.

### **Expedited Hearing**

From the time this Petition was filed, Cartwright Creek made the TRA aware of the importance of an expeditious review and approval, when proved appropriate, of this Petition. From the onset, Cartwright Creek informed numerous TRA representatives in several department aware of its willingness to do whatever was necessary to assure the expeditious review of this Petition. The filing history above, clearly demonstrates the diligent manner with which Cartwright Creek has immediately responded to every TRA request.

The urgency behind the review and approval of this Petition is principally based upon the fact that the commencement of construction of the initial two hundred and twenty-five home development to be serviced by Cartwright Creek upon approval has been prevented pending the TRA's ruling. Financing for the development has been secured and thousands of dollars are lost each day that this development is held up. In addition, anxious future homeowners are not able to begin building their homes until TRA action is taken.

Cartwright Creek has repeatedly relied upon TRA assurances that this Petition would be set for hearing. Cartwright Creek was advised by TRA representatives that this Petition would likely be heard in late November 2004, and informally requested information was provided to assure this hearing would be possible. Next, Cartwright Creek was informed that this matter would be heard in December, first during the December agenda,

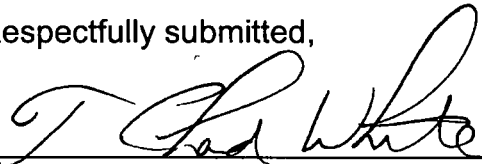
then again before the end of the year. Presently, no hearing date has been set nor notice given.

Cartwright Creek has immediately provided responses and information to every request, formal and informal, made by the TRA. Cartwright Creek has provided the TRA an abundant amount of information enabling the TRA to have complete confidence that Cartwright Creek has the technical, financial, and managerial capabilities not only to provide wastewater utility services to PGA 5 but also to lead Tennessee in revolutionizing the manner in which wastewater is treated and reused.

Cartwright Creek respectfully requests that this Petition be set for hearing at the earliest possible date, and in light of the large amount of money that is lost each day pending this hearing, Cartwright Creek further requests that such hearing be set prior to the January 10, 2005 Agenda.

This the 22<sup>nd</sup> day of December, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. Chad White", written over a horizontal line.

T. Chad White, B.P.R. No. 21950  
Tune, Entekin, and White, P.C.  
AmSouth Center, Suite 1700  
315 Deaderick Street  
Nashville, TN 37238-1700  
615/244-2770 (Office)